

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BERNELL DUPLESSIS, individually,  
Plaintiff,

v.

GOLDEN STATE FOODS, a Delaware  
Corporation doing business in Washington  
State; DANIEL VAN HOOZER, individually,  
and JANE DOE VAN HOOZER, individually,  
and the marital community composed thereof

CASE NO. C06-5631RJB

MINUTE ORDER

On March 2, 2007, the Court granted the Plaintiff's Motion to File Over-Length Brief (Dkt. 26), allowing the plaintiff to file a fifty-page response to the defendants' pending motions for summary judgment (Dkt. 18, 22). Dkt. 29.

On March 5, 2007, the plaintiff filed a response that consists of several pages of single spaced text. *See* Dkt. 40. According to Local Rule CR 10, pleadings must be "double spaced, except for quoted material." Local Rule CR 10(d). The single spaced portions of the plaintiff's brief are not comprised solely of quoted material and violate Local Rule CR 10(d). The Court notes that if plaintiff's counsel had complied with Local Rule CR 10(d), the response would undoubtedly go far beyond the fifty pages allotted.

The Court also notes that plaintiff's counsel filed more than 600 pages of exhibits in support of the response but failed to provide the Court with bench copies until requested to do so.

1 See U.S. District Court Western District of Washington Electronic Case Filing (ECF) User's  
2 Manual 16 (May 2005) ("When documents that exceed 100 pages in length are electronically  
3 filed, a paper copy of the document shall be delivered to the Clerk's Office for chambers, clearly  
4 marked with the words 'Courtesy Copy of Electronic Filing for Chambers.'"). Exhibit 1 contains  
5 more than 300 pages of "excerpted pages from Burnell Duplessis[s] deposition." Dkt. 30 at 1.  
6 These pages are not in order and are difficult to navigate. See *Zoslaw v. MCA Distributing Corp.*,  
7 693 F.2d 870, 883 (9th Cir. 1982) ("A party may not prevail in opposing a motion for summary  
8 judgment by simply overwhelming the district court with a miscellany of unorganized  
9 documentation.").

10 Therefore, it is hereby

11 **ORDERED** that Plaintiff's Global Opposition to Defendants' Motion for Summary  
12 Judgment (Dkt. 40) and the accompanying excerpts from the plaintiff's deposition (Dkt. 31, 32,  
13 33, 34, 35 ) are **STRICKEN**. Defendant Golden State Foods' Motion for Summary Judgment  
14 (Dkt. 18) and Defendants Daniel Van Hoozer and "Jane Doe" Van Hoozer's Motion for  
15 Summary Judgment (Dkt. 22) are **RE-NOTED** for March 16, 2007. On or before March 12,  
16 2007, plaintiffs' shall respond to the motions in accordance with the Local Rules and with Dkt.  
17 29. Plaintiff's counsel is warned that failure to file a proper response may be deemed an admission  
18 under Local Rule CR 7(b)(2). The defendants' replies, if any, shall be due in accordance with  
19 Local Rule CR 7(d)(3).

20 The forgoing is entered by direction of the Honorable Robert J. Bryan.